

NFM Regular Board Meeting 9/27/17 Minutes

The regularly scheduled meeting of the Nashville Farmers' Market Board was called to order by Board Chairman Frank Cardenas at 9:30 am on September 27, 2017.

In attendance were Board members Frank Cardenas, Priscilla Norman, Tyler Brown, Margot McCormack and Brian Copeland. NFM Staff members present were Tasha Kennard, Charles Kizer, Rebecah Boynton and Kay West. A quorum was present.

Also in attendance were Metro Legal Susan Jones, and NFM vendors/merchants Tim McKinney, Janice Simons, Ed Smith, Rob Williams and Briana Nightengale.

Chairman Cardenas read the following standard announcement.

As information for our audience, if you are not satisfied with a decision made by the Farmers' Market Board today, you may appeal the decision by petitioning for a writ of cert with the Davidson County Chancery or Circuit Court. Your appeal must be filed within 60 days of the date of entry of the Board's decision. To ensure that your appeal is filed in a timely manner, and that all procedural requirements have been met, please be advised that you should contact your own independent legal counsel.

Public comments were invited at the start of the meeting to ensure that anyone who wants to comment can do so prior to the Board discussing the business on the agenda. Chair Cardenas read the following standard announcement:

Individuals, requesting to address the Board; will be limited three (3) minutes unless granted more time by the Board Chair. Each person authorized to speak is expected to state her/his name and address and the organization represented if any, and if the speaker reads prepared text, to provide a copy to Board staff.

No public comments requested.

Chair Cardenas calls for approval of August 23, 2017 minutes. Motion made, seconded, carried and approved.

Financial Overview & Fee Waivers

Executive Director Tasha Kennard reports, referring to the financial overview and analysis prepared in Board packets.

Effective July 1, 2017, the NFM's operating budget is \$1,952,700 which includes total revenue of \$1,238,000 and a projected operating subsidy of \$714,700. The operating subsidy will utilize existing funds from the state lease agreement as well as an anticipated request for subsidy in Spring 2018. Revenue is projected to increase by approximately \$260,000 and expenses are projected to remain flat year over year.

The revenue plan includes implementation of a new Market House and Garden Center rates, two new Market House lease tenants, and increased occupancy in the farm sheds and increased rental income from special events and Grow Local Kitchen.

ED Kennard reports that as of August 31, 2017, the Market earned \$187,762 in revenue collections. Revenue collections are behind approximately \$2,000 at this time due to outstanding payments due. The Market's expenses for the same period total \$327,343 per the BAR. Expenses are over budget projections by \$8,000 at this time due to timing of expenses and are not projected to exceed the operating budget. ED Kennard points out that many July expenses don't hit until August.

The NFM management has agreed to waive up to \$3,000 of rental fees for Bacon & Barrel organized by Events Hatched in agreement with logistical and event coordination support of Farmhand Dinner. The event organizer is required to comply with all contractual agreements and submit payment for the remaining balance of their rental contract.

ED Kennard asks for further comments or questions. There are none.

Friends of Nashville Farmers' Market Presentation

ED Kennard invites Ed Smith, primary organizer of the newly revived FOFM, group to present. Ed Smith reports that FOFM has organized a board of four people. Shane Clausey who is a communications director, Carrie Reagan with Ingram Books, Eric Snell a doctor of history at TSU and Ed Smith. They just passed and signed bylaws at their last meeting and will be filing for 501c3 status. He has talked to an accountant about taking over the books and organizing the group financially and what the fee will be for that. The group is currently in a fund-raising phase, as well as a membership phase. The first of the year they will really kick into gear.

FOFM volunteers will be assisting with Farmhand Dinner, wearing green tee shirts. They are trying to do more visuals to get people involved. They have had pamphlets and sign-up sheets printed. The Board meets the first Wednesday of every month at the Market. They are still determining levels of memberships and what benefits each level will get. They intend to have mixers and socials and a spring dinner. He asks that if the Board has any fundraising ideas to please share.

He then presents the Board with the first \$10,000 check gathered through the Community Foundation and donated by Village Real Estate. They request that it be spent on music sponsorship next year. They have also asked staff for a wish list. The list includes a clear podium, sound system for music, stage skirting, linens for special events, installation of a teaching garden and temporary mural art.

The Board commends and thanks Mr. Smith on his efforts. Ms. McCormack makes a motion to accept the \$10,000 check, seconded and passed.

Ms. McCormack encourages Mr. Smith to keep the FOFM active, and that the first iteration of it lost steam because there was not enough communication or direction for keeping volunteers active and involved. That group also didn't have realistic goals for funding and purpose.

Mr. Smith believes that what will improve the organization is to have a defined purpose and goal for funds that can be ongoing. He has also obtained the By-Laws from the Friends of Shelby Parks group to serve as a model for FOFM. They have put a lot of thought into organization and direction.

ED Kennard also commends Mr. Smith and NOFM for the work they have done and the partnership with the Market staff. She says that other Friends groups such as Metro parks groups, the contributions are typically designated for specific use.

Chair Cardenas asks if Board members can join as paying moments. Ms. Jones says she will need to check and see what the parameters are, particularly with regard to voting.

Merchant Advisory Committee & Survey Feedback

ED Kennard reports there have been three meetings of the Merchant Advisory Committee. The Committee is still becoming acclimated and comfortable sharing feedback and taking action. The first two meetings were more action oriented and the last meeting had lots of feedback that is being addressed. She says that some of the members have not been able to attend any of the meetings and she is determining if they want to remain involved and if not, will replace them.

The Survey has been wrapped up, both community and merchant. She has received the community/customer survey analysis, and is waiting on final version of merchant survey analysis. She will send packet of both to Board and Merchant Advisory Committee. It is lengthy and she has asked for a five-page form. The goal was to take the feedback from the surveys and incorporate it into the Strategic Plan.

Pet Policy Review & Approval

ED Kennard distributes the three-page pet policy proposal that replaces the one-pager in the Board packet. The management recommendation is rather than creating the Market's own policy to adopt the Tennessee Department of Health Code as it applies to retail and food establishments.

She has taken the current code and amended it to reflect the needs of the Market. Because it is lengthy she will summarize.

On page one, one thing was added to the policy, which is: [v] Other live animals (other than dogs and cats) are not permitted on premises. That is specific to the Market. Livestock cannot be sold at the Market and there cannot be a petting zoo in accordance with Market policy.

On page two is allowances for how pets can interact in Market facilities. In summary, if it is a patrol animal or a service animal that complies under the attached ADA compliance sheet, or if it is a dog or a cat, the owner/trainer must follow sections 1 through 14, including not permitted to enter any food prep area. For example they cannot enter the B&C kitchen but can travel through the Market House to get to a patio as long as owner maintains control of their leashed animal. Animals will not be permitted to be with their owners as they dine inside the Market House. The TN Department of Health and Metro Health Department are not comfortable with that. Animals can accompany their owners as they order

at the counter of restaurants, but they cannot stay inside the restaurant or Market House to dine. They can proceed outside to common areas such as the patios or picnic tables in the shed alley to dine and the Market allows pets to remain with their owner.

If a particular outdoor space is leased by an individual business such as Picnic Tap or Natchez Hills, they can determine if they want to allow pets to remain with their owners in the outdoor space. Individual business owners may choose to post information that will be provided prohibiting animals from entering their establishment. There are some establishments inside the Market House not preparing food that may wish to allow animals. There are some establishments that will not. Everyone is covered in the pet policy.

Ms. Jones asks how that will be monitored. ED Kennard says there will be new signage throughout the facility in designated and non-designated areas. There will also be a Code of Conduct that will be available to merchants, the public and on online platforms. The information can be shared in person and online.

The sheds are also under policy. The goal is for merchants and pet owners to have rights and for policy to be more black and white and not gray as it is now. Currently there isn't even policy that says animals must be restrained. The new policy establishes that, and includes that the animal cannot be tied and left anywhere on premises.

Ms. Jones asks what on-the-ground enforcement looks like. ED Kennard says there will be a merchant training seminar conducted by staff, Mars Pet Care and General Services to familiarize and train merchants on the new policy and how to manage it. Staff and security will attend as well. Security and 'persons in charge'---which can be a board member, staff member, security officer or business owner--- have rights to address the issue. If someone is operating outside the policy there will be instructions on how the merchant is to contact security to deal with the situation. There will be information on how to deal with any damages to property.

Merchants are being given the right to opt out of the policy should they choose and will be given the tools to do so in a courteous and effective manner. When new merchants apply for space in 2018, they will need to select if they will be a pet-friendly business or not.

This new policy provides tools to manage the situation and clearly defines the NFM pet policy, which has not existed prior to this, and is in compliance with the Health Departments and ADA.

Ms. McCormack says she believes this is a good move to have clear policy.

ED Kennard asks Board to adopt the policy so staff can begin producing signage and needed tools to implement the policy. Moved, seconded and passed.

Winter Market

Vice-Chair Norman assumes charge of meeting as Chair Cardenas had to leave. She asks ED Kennard to report. ED Kennard refers to Winter Market 2017 info in Board packet. Winter Market will run from

Saturday November 18 to Saturday March 31, 2018. It will end sooner than last year. Hours of operation will be 8 am to 2 pm to insure shed vendors are operating in daylight. Winter Market will offer up to 8 farm and artisan retail merchants inside the Market House on Wednesdays from 10 am -2 pm. The first few weeks there may be less merchants due to some merchants working with Batch inside the Market House.

Night Market will continue on the 3rd Friday of every month inside the Market House only from 5-9 pm. Effective March 1, 2018, all Market House restaurants and shops will be required to remain open for Night Markets. Additional space for up to 12 farm and artisan retail merchants will be available inside the Market House for \$30.

Rates are per the approved rate card. Promotional packages will be updated and offered. Lease extensions or renewals will occur as necessary using winter rates and previously approved discounts.

Last year's implementation of Winter Market was successful. Some merchants are expressing interest in adding Sundays to the Wednesday/Saturday model and if enough are interested the Market will add Sunday to the promotional materials.

Executive Director's Report

ED Kennard notes that this is Tyler Brown's last official meeting. She encourages him to connect with Ed Smith and to stay involved. She thanks him for all he has done. Mr. Brown says serving on the Board and working with the Board and staff has been an amazing experience. He believes the Market is in a better place than it was five years ago and has really enjoyed it.

ED Kennard also notes Carolyn Sanders being recognized by Metro for 30 years with Metro government. She was recognized by the Mayor and received a certificate.

ED Kennard reports that after many discussions with Whitney and Vaughn May of Sweet Stash and exploring several options, they went with Option C and have decided to close their retail and baking operation. The NFM has accepted their request to terminate their lease and their last day of business will be October 7th. It is a good decision for their family but leaves a big hole at the Market

The management would like open the process for applications on October 1 and conclude on November 15th, 2017. Typically that process is open for 30 days but with so much happening in the Market, a longer time is required.

The Sweet Stash space is approximately 290 square feet and the 180 square foot space remains available as well. Management would like to open that process. The qualifications include concepts that do not require hood installation. No action is required from the Board.

Ms. McCormack asks if the qualifications will be narrowed to focus on a bakery or if they remain broad. ED Kennard says it is at the Board's pleasure. Ms. McCormack asks if the parameters should go back to what the original focus was on cheese, seafood, bread, coffee.

ED Kennard says there has been an eclectic range of interest expressed so far. She likes the variety they are receiving and see how they fit. Mr. Copeland points out that the Board is not required to approve any of them and can keep the application process open as long as it takes.

NFM staff requests approval for the Picnic Tap's 5 year lease renewal effective November 1, 2017. They are in good standing to move forward. They currently have a three year lease. Motion made to approve, seconded and passed. Ms. McCormack asks if they have been approved yet to go outside. Ms. Jones says their fence is being installed this week and they will go before the Metro Beer Board.

ED Kennard reports there is legislation coming up on the parking agreement with the State and will change merchant parking zones for about 8 months, and Ms. Jones has done a great job with the State.

There will also be legislation on accepting a contract for an AmeriCorp employee to be hosted at the Market.

There will be legislation to approve Tandy Wilson to take Tyler Brown's place on the Board. He is the Mayor's recommendation and she feels positive that he will be approved.

She thanks everyone in the room who has contributed to the Farmhand Dinner taking place that night, particularly Margot McCormack wrangling 18 chefs. The event is sold out. Priscilla Norman wins the award again this year for most tickets sold. The Mayor will attend, welcome and speak but cannot stay for entire event.

ED Kennard reports that the LED sign is operating and all the lights in letters spelling out Farmers' Market are again illuminated.

No further business and Vice-Chair Norman adjourns meeting at 10:23 am.

